IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

Criminal Writ Petition No. 288 of 2006

Office Notes, Office Memoranda of Coram, : Appearances, Court's orders or directions : Court's or Judge's orders and Registrar's orders.

Mr. K.P. Sadavarte, Advocate holding for Mr. A.V. Gupta, Advocate for the petitioner,

Mr. D.B. Patel, APP for Respondent Nos.1 to 3,

Mr. M.V. Amale, Advocate holding for Mr. S.V. Bhutada, Advocate for Respondent Nos.4 to 6,

Mr. M.S. Wakil, Advocate for Respondent No.7.

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CORAM : K. J. ROHEE & C. L. PANGARKAR, JJ
DATED : NOVEMBER 30, 2006

1. Prayer for adjournment was made on behalf of both the petitioner as well as respondent nos.4 to 6. Prayer is rejected.

2. Heard Mr. D.B. Patel, learned APP for respondent nos.1 to 3.

3. The petitioner is the tenant of respondent no.4. It seems that the relations between tenant and landlord are not amicable. The petitioner/tenant made reports against respondent no.4/landlord on 18.3.2006, 19.3.2006 and 27.5.2006. Out of those reports first two reports disclose cognizable offences under IPC, whereas the

third report discloses non-cognizable offence under the Maharashtra Rent Control Act. Thus it was incumbent on the part of PSO, Sitabuldi Nagpur to register offences on the basis of first two reports. From the reply filed on behalf of respondent no.3 it appears that the police did not take any action about those reports on the ground that civil litigation is pending between the parties. It may be noted that after the first report the matter was settled. However even thereafter two reports came to be lodged with the Police and the present writ petition is filed.

4. In view of the above circumstances, we deem it expedient to direct PSO, Sitabuldi Nagpur to register the offences on the basis of second report dated 19.3.2006 and to proceed in accordance with law.

5. With these observations the petition is disposed of.

JUDGE **JUDGE**

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